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November 21, 2013

Via ECF

The Honorable Robert M. Levy
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Berrezeuta et al. v. Royal Crown Pastry Shop, Inc. et al.*
No. 12-cv-04380-FB-RML

Dear Judge Levy:

I write to advise the Court of certain developments with respect to defaulting Defendant Frank Generoso ("Generoso"). It has come to Plaintiffs' attention that on July 24, 2013, Generoso filed for Chapter 7 bankruptcy protection in the United States Bankruptcy Court for the Eastern District of New York (Docket No. 1-13-44526-NHL), and on September 14, 2013, he listed Plaintiffs' claims in this action as unsecured, non-priority claims. Subsequently, on November 20, 2013, Plaintiffs filed Proof of Claim forms with the Bankruptcy Court setting out their claims for unpaid wages.

As a result of Generoso's Bankruptcy Court filing, please be advised that pursuant to the automatic stay imposed by 11 U.S.C. § 362(a), Plaintiffs cannot pursue their claims against Generoso in this action. However, Plaintiffs' claims against defaulting Defendant Royal Crown Pastry Shop, Inc. and non-defaulting Defendants Joseph Generoso, Gian-Franco Generoso, Teresa Generoso, and Royal Crown Antico Panificio are not impacted by the automatic stay, and Plaintiffs will continue to pursue their claims against these defendants.

Sincerely,

/s/ George N Bauer
George N Bauer